

AMENDMENT FORM

Suggestion for amendment of Article : 22 (part II of the Constitution)

Suggestion for protocol :

**By Ms / Mr : G.M de Vries
 T.J.A.M. de Bruijn**

Status : Members

Article 22: [Europol]

1. Europol's mission is to support and strengthen action by the Member States' police authorities and other relevant investigating services and their mutual cooperation in preventing and combating the serious and in particular organised-crime affecting two or more Member States, or the interest of European Union. ~~terrorism and forms of crime which affect a common interest covered by a Union policy.~~
2. The European Parliament and with unanimity the Council shall, in accordance with the legislative procedure, determine by law Europol's structure, operation, field of action and tasks. These tasks may include:
 - the collection, storage, processing, analysis and exchange of information forwarded by the authorities of the Member States or third countries or bodies;
 - the coordination, organisation and implementation of investigative and operational actions carried out jointly with the Member States' services or in the context of joint investigative teams.

The law referred to in the chapeau to this paragraph ~~The law referred to in the previous paragraph~~ also lays down the procedures for scrutiny of Europol's activities by the European Parliament, together with the national parliaments.
3. Any operational action by Europol must be carried out in liaison with and in agreement with the services of the Member State(s) whose territory is concerned. The application of coercive

measures is the exclusive responsibility of the competent national authorities.

Explanation (if any) :

In the near future the Netherlands will send a contribution to the Convention on the topic of Union legislation in the field of criminal and civil law. This contribution will indicate the areas of criminal and civil law which are well suited for legislation at Union-level and which areas need to be left to national legislation, as well as decision making modalities in the Council.